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Attorneys for Federal Defendants

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

CHURCHILL COUNTY, CITY OF FALLON, AND) Case No. 3:09-cv-170-LDG-RAM
TRUCKEE-CARSON IRRIGATION DISTRICT,)

Plaintiffs,) **STIPULATION AND**
v.) **ORDER**
UNITED STATES DEPARTMENT OF THE) **MODIFYING BRIEFING**
INTERIOR, *et al.*,) **SCHEDULE**
(Fourth Request)

Defendants,)
TRUCKEE MEADOWS WATER AUTHORITY;)
PYRAMID LAKE PAIUTE TRIBE; WASHOE)
COUNTY WATER CONSERVATION DISTRICT;)
CITY OF FERNLEY,)

Intervenor-Defendants.)
_____))

1 COME NOW, Plaintiffs Churchill County, the City of Fallon, and the Truckee-Carson
2 Irrigation District (“Plaintiffs”); United States Department of the Interior, S.M.R. Jewell, the
3 Bureau of Reclamation, and Estevan Lopez (“Federal Defendants”); and Intervenor Truckee
4 Meadows Water Authority, Pyramid Lake Paiute Tribe, Washoe County Water Conservation
5 District, and the City of Fernley (“Intervenor-Defendants”), through their undersigned attorneys,
6 and jointly stipulate and request that the modified briefing schedule previously approved by the
7 Court in this case (Dkt. #78), be further modified to enlarge the time for Federal Defendants and
8 Intervenor-Defendants to respond to the Plaintiffs’ Cross-Motion for Summary Judgment (Dkt.
9 #108), Plaintiffs’ Opposition to Defendants’ Motion for Summary Judgment (Dkt. #109), and
10 Plaintiffs Request for Judicial Notice (Dkt. #111), until June 17, 2015. Under the modified
11 briefing schedule approved by the Court on June 10, 2011 (Dkt. #78), responses to the Plaintiffs’
12 summary judgment papers are due thirty days after filing, or June 8, 2015. In support of this
13 request, the Parties state further as follows:

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17 1. All Defendants filed motions for summary judgment on March 14, 2011 (Dkt.
18 ##67, 69, 65, 71, and 72). Plaintiffs then moved to Supplement the Administrative Record (Dkt.
19 #74) and the parties stipulated to a stay of further summary judgment briefing pending the
20 service of a Court Order resolving the Motion to Supplement the Administrative Record (Dkt.
21 #78). On March 9, 2015, this Court issued an Order granting in part and denying in part the
22 Motion to Supplement the Administrative Record (Dkt. #98).

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24 2. Under the modified briefing schedule previously approved by the Court (*see* Dkt.
25 #78), as further extended by stipulation of the parties and order of the Court (Dkt. #100),
26 Plaintiffs on May 8, 2015 filed their Cross-Motion for Summary Judgment, Opposition to
27 Defendants’ Motions for Summary Judgment, and Request for Judicial Notice. Under the
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1 modified briefing schedule, Defendants' responses to these filings are due thirty days thereafter,
2 or June 8, 2015 (*see* Dkt. #78).

3 3. Federal Defendants state as follows: Federal Defendants require a short extension
4 of time to prepare and file an Opposition/Reply brief and response to the Request for Judicial
5 Notice due to conflicting litigation deadlines and scheduling conflicts that have arisen recently.
6 Accordingly, Federal Defendants request an enlargement of time, until June 17, 2015, in which
7 to file their Opposition to Plaintiffs' Cross-Motion for Summary Judgment, Reply in support of
8 Federal Defendants' Motion for Summary Judgment, and any response to Plaintiffs' Request for
9 Judicial Notice. Plaintiffs and Intervenor-Defendants do not object to this request.
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11 4. Therefore, the Parties stipulate that the briefing schedule previously approved by
12 the Court be modified so that all responses to the Plaintiffs' summary judgment filings on May 8,
13 2015, be due on or before June 17, 2015.
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15 5. Plaintiffs shall have 30 days from the date of service of Defendants'
16 Opposition/Reply to file a Reply in support of their Cross-Motion for Summary Judgment.
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18 6. Opposition briefs shall not exceed 60 pages in length, and Reply briefs shall not
19 exceed 30 pages, without leave of Court.

20 Respectfully submitted this 27th day of May, 2015, by:

21
22 DANIEL G. BOGDEN
23 United States Attorney
24 GREG ADDINGTON
25 Assistant United States Attorney
26 JOHN C. CRUDEN
27 Assistant Attorney General
28 /s/ Stephen M. Macfarlane
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 DEVON LEHMAN McCUNE, Senior Attorney
 UNITED STATES DEPARTMENT OF JUSTICE
 ENVIRONMENT AND NATURAL RESOURCES
 DIVISION

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CHURCHILL COUNTY DISTRICT

ATTORNEY'S OFFICE

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WASHOE COUNTY WATER CONSERVATION

DISTRICT

1
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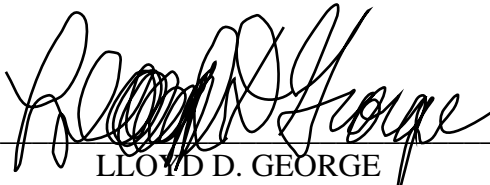
3 By: /s/ Paul G. Taggart (per authorization 05/27/15)
4 PAUL G. TAGGART
5 Attorneys for Intervenor-Defendant
6 CITY OF FERNLEY

7 **ORDER**

8 The stipulated modification to the briefing schedule is APPROVED.

9 IT IS SO ORDERED.

10 DATED: 29 May 2015

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12 _____
13 LLOYD D. GEORGE
14 SENIOR UNITED STATES DISTRICT JUDGE
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